

GOVERNMENT **SIKKIM** **GAZETTE**



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GOVERNMENT OF SIKKIM

**DEPARTMENT OF PERSONNEL, ADMINISTRATIVE REFORMS, TRAINING, PUBLIC
GRIEVANCES, CAREER OPTIONS & EMPLOYMENT, SKILL DEV.
AND CHIEF MINISTER'S SELF EMPLOYMENT SCHEME
GANGTOK-SIKKIM**

No.242/GEN/DOP

Dated: 26/3/2010

NOTIFICATION

In exercise of the powers conferred by the proviso to article 309 of the constitution of India, the Governor of Sikkim hereby makes the following rules, namely:-

1. Short title commencement:-

(1) These rules may be called the Sikkim State Consumer Disputes Redressal Commission and the District Consumer Disputes Redressal Forum (Officer and Staff Recruitment and Condition of Service Rules, 2010.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application:-

These rules shall apply to the posts as specified in the schedule appended to these rules; Provided that nothing in these rules shall affect the appointment of officers and staff made before the appointed day.

3. Definition:-

- (a) "appointed day" means the date on which these rules shall come into force;
- (b) "Competitive Examination" means the examination conducted in which written and other practical tests like typing, stenography etc. viva voce test or other tests as may be prescribed by the President of the State Commission from time to time for different posts;
- (c) "Constitution" means the Constitution of India;
- (d) "District Forum" means the District Consumer Disputes Redressal Forum constituted by the Government of Sikkim under clause (a) of section 9 of the Consumer Protection Act, 1986;
- (e) "Governor" means the Governor of Sikkim;
- (f) "post" means a post as specified in the Schedule appended to these rules and as may be amended from time to time by the President of the State Commission in pursuance of powers delegated by the State Government or created in consultation with the State Government whenever necessary.'

- (g) "President" of the District Forum" means the President of the District Forum appointed under clause (a) of sub section 1 of section 10 of the Consumer Protection Act,1986;
- (h) "President" of the State Commission" means the President of the Sikkim State Commission appointed under clause (a) of sub section (1) of section 16 of the Consumer Protection Act.1986;
- (i) "Promotion" means promotion to a post or class of posts based on merit-cum-seniority;
- (j) "Recognized University" means any University incorporated by Law in India or any other University which is declared by the President, State Commission to be recognized for the purpose of these rules;
- (k) "Registrar" means the Registrar of the Sikkim State Commission;
- (l) "Schedule" means the Schedule appended to these rules
- (m) "Selection" means selection to a post or class of posts by selection based on merit;
- (n) "State Commission" means the Sikkim State Consumer Disputes Redressal Commission constituted by the Government of Sikkim under clause (b) of section 9 of the Consumer Protection Act,1986;
- (o) "State Government" means the Government of Sikkim.

PART-II

STRENGTH, APPOINTMENT AND CONDITION OF SERVICE

4. Strength and composition of the Officers Grade and Scale of Pay

The authorized strength, composition of service and scale of pay shall be as indicated in the Schedule at the initial composition and shall be determined by the Governor from time to time.

5. Eligibility, condition for appointment, qualification for appointment, method of appointment, probation, confirmation, temporary appointment, seniority etc.

In particular and without prejudice to the generality of these rules, the Sikkim Government Establishment Rules, 1974 as amended from time to time, shall apply in matter of eligibility condition for appointment, qualifications, method of appointments, probation, confirmation, temporary appointment, seniority etc subject to the following modification namely:-

- (1) The expression "Government Servant" occurring in these rules, shall be construed to mean the officers and members of the State Commission and the District Forum Staff.
- (2) The word "Governor" of "Government" whenever appearing in these rules shall be construed to mean the President, State Commission and the State Commission.

6. Authority competent to make appointment, promotion and seniority, etc :-

- (1) All matters of appointment, promotion and seniority of the members of the establishment of the State Commission and the District Forum shall be decided by the President, State Commission.
- (2) In all matters relating to seniority, leave, promotion, pension and other matters regarding the condition of service for which no provision or insufficient provision has been made in these rules, the service rules of the State Government for the time being in force and applicable to the Government Servant appointed to corresponding grade or posts in connection with the affairs of the State of Sikkim, shall apply to the members of the establishment subject to such modification, variation and exceptions, if any, as the President, State Commission may from time to time specify.
- (3) The scale of pay and dearness and other allowances including compensatory allowance and house rent allowance admissible to the members of the establishment shall continue

SCHEDULE

STATE COMMISSION					
Sl. No.	Name of Post	Number of Permanent posts	Name Of PayBand	Corresponding Pay Band	Grade Pay
1	Registrar	1	PB-3	15600-39100	7200
2	Reader	1	PB-2	9300-34800	5000
3	P.S. to President	1	PB-2	9300-34800	5000
	ADMINISTRATION				
1	Administrative Officer	1	PB-2	9300-34800	5000
2	Office Superintendent	1	PB-2	9300-34800	4200
3	Head Assistant	1	PB-1	5200-20200	3400
4	Upper Divisional Clerk	1	PB-1	5200-20200	3000
5	Lower Divisional Clerk	2	PB-1	5200-20200	2600
6	Driver	1	PB-1	5200-20200	2400
7	Peon	3	PB-1	5200-20200	2200
8	Sweeper cum Chowkidar	1	PB-1	5200-20200	2200
	ACCOUNTS SECTION				
1	Senior Accountant	1	PB-2	9300-34800	4200
2	Accountant	1	PB-1	5200-20200	3400
3	Junior Accountant	1	PB-1	5200-20200	3000
4	Peon	1	PB-1	5200-20200	2200
	DISTRICT FORUM (EAST)				
Sl. No.	Name Of Post	Number of Permanent posts	Pay Band	Classification	Grade Pay
1	Peshkar	1	PB-1	5200-20200	3400
2	Stenographer Grade III	1	PB-1	5200-20200	3400
3	Upper Divisional Clerk	1	PB-1	5200-20200	3000
4	Junior Accountant	1	PB-1	5200-20200	3000
5	Lower Divisional Clerk	2	PB-1	5200-20200	2600
6	Peon	2	PB-1	5200-20200	2200
7	Sweeper cum Chowkidar	1	PB-1	5200-20200	2200
1	Peshkar	1	PB-1	5200-20200	3400
2	Stenographer Grade III	1	PB-1	5200-20200	3400
3	Upper Divisional Clerk	1	PB-1	5200-20200	3000
4	Junior Accountant	1	PB-1	5200-20200	3000
5	Lower Divisional Clerk	2	PB-1	5200-20200	2600
6	Peon	2	PB-1	5200-20200	2200
7	Sweeper cum Chowkidar	1	PB-1	200-20200	2200

to be governed by the rules and orders of the State Government in force on the date of enforcement of these rules:

Provided that it shall be competent for the President, State Commission to revise from time to time scales of pay and allowances of the employees of the State Commission and the District Forum so as to bring them at par with the scales of pay and allowances which may be sanctioned by the Government of Sikkim from time to time for the employees of the corresponding grade or post.

7. Interpretation:-

If any question arises as to which rules or order are applicable to the case of any Person serving on the establishment of the State Commission and District forum shall be decided by the President, State Commission.

8. Appeals:-

An appeal shall lie against all orders passed by the President, District Forum or the Registrar, State Commission as the case may be under the foregoing rules, to the President, State Commission who may either dispose it of himself or make it over to any other officer nominated by him. The order of President, State Commission, passed whether in appeal or at the first instance shall be final, subject to the power of review, which may be exercised in exceptional cases of hardship or injustice.

9. Control and Discipline:-

- (1) In particular and without prejudice to the generality of these rules, the Sikkim Government Servants' Conduct Rules, 1981 and the Sikkim Government Servants (Discipline and Appeal) Rules, 1985 as amended from time to time, shall apply in matter of discipline and punishment subject to the following modification namely :-
 - (i) The expression "Government Servant" occurring in these rules, shall be construed to mean the officers and members of the State Commission and District Forum ;
 - (ii) The words "Governor" or "Government" whenever appearing in these rules shall be construed to mean the President, State Commission.
- (2) Nothing in these rules shall debar the President, State Commission from altering on appeal or otherwise an order of punishment, including adverse remarks recorded in a character role or of appointment passed by the Registrar or any other officer as the case may be.

10. Power to relax:-

In every exceptional case where the President, State Commission is satisfied that the operation of any rule is causing undue hardship in any particular case, he may by order dispense with or relax the requirement of that rule to such extent and subject to such condition as he may consider necessary for dealing with the case in a just and equitable manner.

Provided that the case is not dealt with in a manner less favourable to the officials concerned than in accordance with the rules.

BY ORDER AND IN THE NAME OF THE GOVERNOR.

**JOINT SECRETARY TO THE GOVERNMENT
DEPTT. OF PERSONNEL, ADM. REFORMS, TRAINING, PUBLIC
GRIEVANCES, CAREER OPTIONS & EMPLOYMENT SKILL DEV.
AND CHIEF MINISTER'S SELF EMPLOYMENT SCHEME**

DISTRICT FORUM (NORTH)

Sl. No.	Name Of Post	Number of Permanent posts	Name Of Pay Band	Corresponding Pay Band	Grade Pay
1	Peshkar	1	PB-1	5200-20200	3400
2	Stenographer Grade III	1	PB-1	5200-20200	3400
3	Upper Divisional Clerk	1	PB-1	5200-20200	3000
4	Junior Accountant	1	PB-1	5200-20200	3000
5	Lower Divisional Clerk	2	PB-1	5200-20200	2600
6	Peon	2	PB-1	5200-20200	2200
7	Sweeper cum Chowkidar	1	PB-1	5200-20200	2200

DISTRICT FORUM (SOUTH)

Sl. No.	Name Of Post	Number of Permanent posts	Name of Pay Band	Corresponding Pay Band	Grade Pay
1	Peshkar	1	PB-1	5200-20200	3400
2	Stenographer Grade III	1	PB-1	5200-20200	3400
3	Upper Divisional Clerk	1	PB-1	5200-20200	3000
4	Junior Accountant	1	PB-1	5200-20200	3000
5	Lower Divisional Clerk	2	PB-1	5200-20200	2600
6	Peon	2	PB-1	5200-20200	2200
7	Sweeper cum Chowkidar	1	PB-1	5200-20200	2200

DISTRICT FORUM (WEST)

Sl. No.	Name Of Post	Number of Permanent posts	Name of Pay Band	Corresponding Pay Band	Grade Pay
1	Peshkar	1	PB-1	5200-20200	3400
2	Stenographer Grade III	1	PB-1	5200-20200	3400
3	Upper Divisional Clerk	1	PB-1	5200-20200	3000
4	Junior Accountant	1	PB-1	5200-20200	3000
5	Lower Divisional Clerk	2	PB-1	5200-20200	2600
6	Peon	2	PB-1	5200-20200	2200
7	Sweeper cum Chowkidar	1	PB-1	5200-20200	2200

